IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.42843 of 2008
RANJIT PASWAN & RANJIT SAHANI
Versus
STATE OF BIHAR
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2. **18.11.2008** Heard Sri Hari Kishore Thakur, Advocate for the petitioners and the learned A.P.P. for the State.

A burglary was committed in the shop of the informant who is a cloth merchant. A report was made against unknown. Subsequently, the petitioners were found carrying some cloths on bicycles and they were stopped. On search of the bundles some cloths were recovered and those were identified by the informant as those which had been taken away in theft. The learned counsel attempted to first criticize the recovery memo by pointing out the court that before the seizure had been made the case number was written on the top of the seizure memo but the court is of view that the name of the Court clearly indicates that the number of the police station case that it was simply put so as to indicating the authority which had issued the certified copy. There is no other circumstance except the defence that during business transaction there was a difference and has lodged a false case and fastened recovery. The Court is not ready to accept the defence. The petitioners are in custody for about six months. If the case is not concluded in a period of six months from the day of the remand of the above named two petitioners in the case the learned C.J.M. Muzaffarpur shall himself release the petitioners on bail on execution of a bonds to his own satisfaction in connection with Sakra P.S.Case No.153 of 2008.

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(Dharnidhar Jha, J.)

B.Kr.